

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

DEPT. OF TRANSPORTATION
DOCKET SECTION
96 JUN 26 PM 3:50

QA-9844

Agreements Adopted by the Traffic :
Conferences of the International :
Air Transport Association :

Docket OST-96-1488-1

APPLICATION FOR APPROVAL OF AGREEMENTS
BY THE
INTERNATIONAL AIR TRANSPORT ASSOCIATION

Communications with respect to
this document should be sent to:

June 26, 1996

David M. O'Connor
Regional Director, U.S.
International Air Transport
Association
1001 Pennsylvania Ave. N.W. #285
Washington, D.C. 20004

(202) 624-2977

1788

SummaryDOCKET: **OST-96-**DOT ORDER: **pending**

Date: June 26, 1996

Filing fee/IATA **Acct:** \$1,281 - 3631**US/UST** involved: no

End of Government Filing Period: July 9, 1996

Meeting site/date: Geneva, June 10-14, 1996

Intended effective date: **August 1, 1996**Agreement: TC2 **Reso/P 1966** dated June 21, 1996

Europe-Mideast Expedited Resos rl-21

(Summary attached.)

r-1--052d	r-6--080bb	r-11--072ee	r-16--071e
r-2--042d	r-7--080ee	r-12--080ee	r-17--072ee
r-3--062d	r-8--092q	r-13--092q	r-18--076q
r-4--072ee	r-9--076q	r-14--002x	r-19--092b
r-5--076q	r-10-080bb	r-15--070ii	r-20--003g
			r-21--015v

APPLICATION FOR APPROVAL OF AGREEMENT

Pursuant to statements submitted by Member airlines of the International Air Transport Association (IATA), the undersigned has been constituted to be their attorney-in-fact for filing with the Department of Transportation copies of agreements adopted by the IATA Traffic Conferences.

On their behalf, and pursuant to Sections 41308 and 41309 of Title 49 of the United States Code and Parts 303.03, 303.05 and **303.30(c)** of Title 14 of the Code of Federal Regulations, I am filing with the Department this application for approval of an IATA agreement.

This agreement and related factual and explanatory material and documentation required by 14 C.F.R. 303.31 and Department and Civil Aeronautics Board (CAB) precedent are contained in the IATA Traffic Conference documentation summarized above.

This agreement arises from the continuing process of Tariff Coordinating Conferences and was developed in the context of prior Department and CAB rulings addressing related resolutions which reflected regulatory and market conditions then in effect. Thus, the present agreement should be viewed as part of a dynamic process of IATA Member airline adjustment to governmental and economic factors.

On previous occasions, the Department has found such agreements to be consistent with the public interest when they do not result in fares or rates that are unlawful or injurious to competition in the markets at issue. Approval of the present agreement would not yield fares or rates that are unlawful or injurious to competition. Moreover, approval of this agreement, which reflects compromises among the differing economic and social philosophies of the many nations whose airlines are

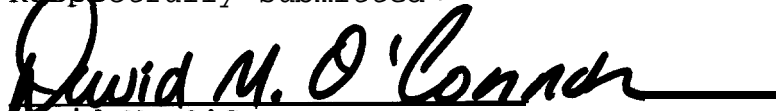
parties, will advance the public interest in maintaining good aviation relations with other countries.

We request early approval by the Department of the foregoing agreement, pursuant to 49 U.S.C. 41309, and the grant of full antitrust immunity, pursuant to 49 U.S.C. 41308.

The conferral of full antitrust immunity would be in the public interest and necessary for the transaction to proceed. This agreement is a product of the IATA Tariff Coordinating Conferences which the Department found to be anticompetitive but nevertheless approved and immunized in Order 85-5-32 (May 6, 1985) on foreign policy and comity grounds because such action is necessary to achieve the serious transportation need of maintaining good aviation relations with other countries and these benefits are not obtainable by reasonably available means having materially less anticompetitive effects.

This agreement concerns fares or rates only between **non-**U.S. points and thus has at most indirect application in foreign air transportation. The U.S. authorities have recognized (e.g., Order 79-8-194, August 30, 1979) that the interests of sovereign nations in the conditions governing air transportation between them greatly exceed any that the U.S. might have by reason of U.S. airline, citizen or shipper participation. This agreement is not adverse to the public interest and should be granted full immunity.

Respectfully submitted::

A handwritten signature in black ink, reading "David M. O'Connor", written over a horizontal line.

David M. O'Connor
Regional Director, U.S.
International Air Transport Association
Attorney-in-fact

CERTIFICATE OF SERVICE

A copy of this application or a summary notice thereof has been served by first class or priority mail on the following persons:

Chief, Transportation, Energy
& Agriculture Section
Antitrust Division
Department of Justice
Washington D.C. 20530

Donald L. Pevsner
1765 East Riviera Dr.
Merritt Island, FL 32952

Roger Deitz
437 Madison Av. Floor 40
New York, NY 10169


David M. O'Connor

June 26, 1996
Date Served



International Air Transport Association

IATA CENTRE, ROUTE DE L'AEROPORT 33, P.O. BOX 672

CH-1215 GENEVA 15 AIRPORT SWITZERLAND

TELEPHONE: + 41 (22) 799 2525 - TELEX: 415586 - CABLES: IATA GENEVA

Tariff Coordination

21 June 1996

M E M O R A N D U M

TC2 Reso/P 1966

TO: Members Participating in Tariff Coordinating Conferences (SP- 1265)

FROM: Director, Tariff Coordination

SUBJECT: TC2 Passenger Tariff Coordinating Conference
Geneva, 10-14 June 1996
TC2 Europe-Middle East
Expedited Resolutions 002k, 002w, 002x, 003g, 015v
Intended Effective Date: 1 August 1996

Attached are TC2 Europe-Middle East Expedited Resolutions **002k, 002w, 002x, 003g, 015v** which were adopted at the above meeting for an intended effective date of 1 August 1996.

The filing period for the attached Resolutions ends 9 **July 1996**. Members are reminded of their obligations under Resolutions 001 and 006 to advise this office by the end of the filing period whether approval by their Government authorities is required and, if so, to accomplish the necessary filing formalities. The effective date will be declared in accordance with Resolutions 001 and 006, when all the known necessary Government approvals have been received.

Filing formalities with the US and Canadian Governments, as applicable, will be accomplished by IATA.

T.L. Bolingbroke
Assistant Director, Tariff Coordination

RESOLUTIONS FINALLY ADOPTED AT

TC2
PASSENGER TARIFF COORDINATING CONFERENCE
BETWEEN EUROPE AND MIDDLE EAST

GENEVA, 10 - 14 JUNE 1996

INTENDED EFFECTIVE DATE: 1 AUGUST 1996

RESO	TITLE	PAGE
002k	Special Amending Resolution from Ireland to Middle East	1-3
002w	Special Amending Resolution from Bulgaria to Middle East	4-5
002x	Special Amending Resolution	6-8
003g	General Increase Resolution from Croatia to Middle East	9
015v	Add-on Amounts (Except in USA)	10

EXPEDITED

TC2
SPECIAL AMENDING RESOLUTION
FROM IRELAND TO MIDDLE EAST

New

PTC2(72)002k

Expiry: 31 December 1996

Type: B

RESOLVED that,

EFFECTIVE - 1 AUGUST 1996

1 **from Dublin (DUB) to Middle East:** normal fares amended as shown below:

From	To	CCY	Note	Reso 052d FOO	Reso 042d c o o	Reso 062d YOO
DUB	AUH/DXB			1724	1169	988
	ADE			1931	1469	1211
	HRG/LXR/SKV			1482	926	707
	ALY/CAI			1421	890	679
	AMM/BEY/DAM			1421	905	702
	ASW			1492	937	719
	BGW			1675	1233	1005
	BAH/DOH			1620	1098	912
	BSR			1783	1307	1058
	DHA/RUH			1562	1002	842
	JED			1440	940	792
	KRT			1601	1104	878
	KWI			1560	1019	851
	MCT			1841	1244	1030
	NIC			1251	937	542
	SAH			1803	1382	1141
	SHJ			1724	1169	968
	SYZ/THR			1717	1188	984

Resolution : 002k

Page : 2

From	To	CCY Note	Reso 052d	Reso 042d	Reso 062d
			FRT	CRT	YRT
DUB	AUH/DXB		3122	2112	1746
	ADE		3496	2658	2189
	HRG/LXR/SKV		2674	1669	1274
	ALY/CAI		2567	1607	1222
	AMM/BEY/DAM		2567	1633	1263
	ASW		2696	1691	1294
	BGW		3026	2230	1814
	BAH/DOH		2929	1983	1645
	BSR		3227	2352	1911
	DHA/RUH		2825	1808	1517
	JED		2605	1697	1427
	KRT		2899	1995	1584
	KWI		2823	1842	1535
	MCT		3332	2248	1859
	NIC		2262	1692	938
	SAH		3266	2499	2061
	SHJ		3122	2112	1746
	SYZ/THR		3108	2147	1776

2 from Dublin (DUB) to Middle East: special fares amended as shown below:

- a) Resolutions 072ee, 076q, 080bb, 080ee: fares (except those shown below) re-established at levels equal to fares, where lower, from Belfast (BFS) (i.e. based on London (LON) level plus add-on amount for Belfast (BFS); resultant amount converted to IEP at current IATA Rate of Exchange)

Resolution 080bb

From	To	CCY Note	MIT35
DUB	KRT		802
	NIC		499
	SHJ		879

Resolution 080ee

From	To	CCY Note	MIT8
DUB	KWI		652

Resolution : 002k

Page : 3

b) Resolution **092q**: fares amended as shown below:

From	To	CCY	Note	MZZ
DUB	AUH/DXB			549
	ADE			605
	ALY/CAI/AMM/			391
	BEY/DAM			
	BGW			499
	BAH/DOH			505
	DHA/RUH			502
	JED/MED			473
	KRT			503
	KWI			487
	MCT			569
	MC			299
	RKT			549
	SAH			572
	SHJ			549

Filing Period

25 June - 9 July 1996

Intended Effective Date

1 August 1996

EXPEDITED

TC2
SPECIAL AMENDING RESOLUTION
FROM BULGARIA TO MIDDLE EAST

New

PTC2(72)002w

Expiry: 3 1 December 1996

Type: B

RESOLVED that,

EFFECTIVE - 1 AUGUST 1996

- 1 **from Varna (VAR) to Bahrain (BAH):** fares in Resolution 076q amended as shown below

YHPX2M	1295
YLPX2M	1189

- 2 **from Varna (VAR) to Dhahran (DHA), Riyadh (RUH):** fares in Resolutions 076q, 080bb amended as shown below

YHPX2M	1295
YLPX2M	1189
YIT35	1031

- 3 **from Varna (VAR) to Nicosia (NIC):** normal fares and fares in Resolutions 072ee, 076q, 080bb, 080ee, 092q amended as shown below

Fare	OW	RT	Resolution
F	773	1406	052d
C	624	1175	042d
Y	570	1037	062d
MEE2M		729	072ee
MHPX2M		611	076q
MLPX2M		567	076q
MZZ/MSD	291	582	092q
MIT35		518	080bb
MIT8		471	080ee

Resolution : 002w

Page : 2

RESOLUTION 076q - Special Excursion (PEX) Fares from Europe to Middle East**4** TABLE A is amended for Bulgaria

FROM	TO	FARE CODE	PERIODS OF APPLICATION
Bulgaria except as below	All *	MLPX MLPX	06 Jan - 31 Mar 01 Oct - 14 Dec
Varna	Cyprus	MHPX MHPX	01 Apr - 30 Sep 15 Dec - 05 Jan
		MPX MPX	06 Jan - 30 Jun 01 Nov - 14 Dec

All"= all specified points where periods of application other than all year

Filing Period

25 June - 9 July 1996

Intended Effective Date

1 August 1996

EXPEDITED

TC2
SPECIAL AMENDING RESOLUTION
EUROPE-MIDDLE EAST

New

PTC2(72)002x

Expiry: 31 December 1996

Type: B

RESOLVED that,

EFFECTIVE - 1 AUGUST 19961 **from Yemen:** fares are divided by 1.03**NORMAL FARES**2 **from UK to Middle East:** normal fares amended as shown below:

From	To	CCY Note	FOW	c o w
LON	AUH/DXB/RKT/SHJ		1589	1039
	BAH/DOH		1484	967
	HRG/LXR/SKV		1345	791
	ALY/CAI		1283	755
	ASW		1355	802
	AMM/BEY		1283	770
	KWI		1423	886
	MCT		1708	1115
	DHA/RUH		1426	877
	JED/MED		1303	813
	KRT		1466	972
	DAM		1283	770
	ADE		1798	1344
	SAH		1670	1256
	BGW		1540	1105
	BSR		1649	1174
	NIC		1112	803
	THR/SYZ		1582	1058

Resolution : **002x**
 Page : **2**

From	To	CCY	Note	FRT	CRT
LON	AUH/DXB/RKT/SHJ			2890	1888
	BAH/DOH			2696	1756
	HRG/LXR/SKV			2438	1436
	ALY/CAI			2330	1373
	ASW			2460	1459
	AMM/BEY			2330	1399
	KWI			2588	1612
	MCT			3102	2027
	DHA/RUH			2591	1593
	JED/MED			2368	1479
	KRT			2665	1768
	DAM			2330	1399
	ADE			3268	2444
	SAH			3035	2282
	BGW			2794	2009
	BSR			2997	2134
	NIC			2022	1461
	THR/SYZ			2876	1923

RESOLUTION 070ii - Excursion Fares between Cyprus and UK, from Switzerland to Cyprus

3 from London (LON) to Nicosia (NIC): fare amended to GBP474

RESOLUTION 071e - Excursion Fares between Cyprus and UK

4 from London (LON) to Nicosia (NIC): fare with Note D009 amended to GBP411; fare with no Note amended to GBP445

RESOLUTION 072ee - Excursion Fares from Europe to Middle East

5 from London (LON) to Nicosia (NIC): fare amended to GBP839

RESOLUTION 076q - Special Excursion (PEX) Fares from Europe to Middle East

6 Paragraph 20)A) 1) Exception b) is amended

20) REBOOKING AND REROUTING

A) 1) before departure: not permitted

Exceptions

b) from Bulgaria, Croatia, Slovenia: permitted at a charge of **USD50**

RESOLUTION 092b - Student Fares between Cyprus and UK

7 **from Manchester (MAN) to Nicosia (NIC):** fare with Note DO09 amended to reflect Note DO1 1

Filing Period

25 June - 9 July 1996

Intended Effective Date

1 August 1996

EXPEDITED**TC2****GENERAL INCREASE RESOLUTION
FROM CROATIA TO MIDDLE EAST****New**

PTC2(72)003g

Expiry: Indefinite

Type: B

RESOLVED that,

- 1) fares, except add-on amounts, intended for application on or after 1 August 1996 for transportation from Dubrovnik (DBV) to Cyprus, Egypt, Jordan, Lebanon, Sudan, Syria shall be increased by 5%
- 2) the manner of revising shall be to apply the increase shown above to the local currency specified fares, such fares being rounded in accordance with Resolution 024d

Filing Period

25 June - 9 July 1996

Intended Effective Date

1 August 1996

EXPEDITED**TC2****ADD-ON AMOUNTS (EXCEPT IN USA)
EUROPE-MIDDLE EAST**

Amending

PTC2(72)015v

Expiry: 31 December 1996

Type: B

RESOLVED that, Attachments to Resolution **015v** are amended as follows:

Between	And Add-on Area	Add to CCY Note	Att A FOW	Att B c o w	Att C YOW	Att D7 Special RT	Act
Marrakech (RAK)	230	CAS	330	280	280	500	A

Filing Period

25 June - 9 July 1996

Intended Effective Date

1 August 1996

US - DoT
SUMMARIES

EUROPE-MIDDLE EAST

Proposed Effective Dates: 1996 August 1

IATA Memorandum Number: TC2 **Reso/P** 1966

Action: The agreement revises fares and conditions applicable between Europe and the Middle East. In addition to individual market-specific amendments including reductions in fares from Dublin and fares amended to reflect government approved levels, there is an increase effective August 1 of 5% from Dubrovnik to Cyprus, Egypt, Jordan, Lebanon, Sudan,